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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SUNRISE TELECOM INCORPORATED, a  
Delaware Corporation,

Plaintiff,

v.

ACTERNA, LLC, a Delaware Limited  
Liability Company,

Defendant.

Case No. 05-cv-01555 CRB

**STIPULATED DISMISSAL**

It is hereby stipulated and agreed by and between Sunrise Telecom Incorporated and Acterna, LLC that the parties hereby voluntarily dismiss, pursuant to Federal Rule of Civil Procedure 41(a), without prejudice all causes of action brought against each other. Each party is to bear their own costs and attorneys' fees. The Court will keep jurisdiction to enforce any protective order entered in this case.

1 Dated: September 14, 2005

ORRICK, HERRINGTON & SUTCLIFFE LLP

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3 By: \_\_\_\_\_/s/  
4 Michael F. Heafey  
5 Attorneys for Plaintiff  
6 SUNRISE TELECOM INCORPORATED

7 Dated: September 14, 2005

REED SMITH LLP

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9 By: \_\_\_\_\_/s/  
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